

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

AUG 10 2005

IN REPLY REFER TO:
1800B3-EEB

Donald E. Wildmon, Chairman
P.O. Box 3206
107 Parkgate
Tupelo, MS. 38803

In re: KTXG(FM), Greenville, Texas
Facility ID No. 77544
American Family Radio

Application for Minor Modification
of Construction Permit
File No. BMPED-20050214AFI

Request for Waiver of 47 C.F.R. §
73.1125 (Main Studio Rule)

Dear Mr. Wildmon:

The letter refers to: (1) the referenced application of American Family Radio ("AFR"), permittee of noncommercial educational ("NCE") FM station KTXG, Greenville, Texas, proposing to modify its construction permit to change the tower information and to decrease power; and (2) AFR's February 24, 2005 request for waiver of Section 73.1125 in order to operate KTXG(FM) as a "satellite" station of its noncommercial educational FM station WAFR(FM), Tupelo, Mississippi.¹ For the reasons set forth below, we will waive Section 73.1125 and grant AFR's minor modification application.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license, (2) within the principal community contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community of license.² However, under Section 73.1125(b)(2), the Commission will waive these requirements where good cause exists to do so and where the proposed studio location would be consistent with the operation of the station in the public interest. Each

¹ A "satellite" station meets all of the Commission's technical rules. However, it originates no programming and instead rebroadcasts the parent station's programming. See *Amendment to Multiple Ownership Rules, Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

² See *Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998), *recon. Granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").

waiver request by an NCE station seeking to operate as a satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operation for NCE stations, given their limited funding, and thus found good cause exists to waive the main studio location requirement where satellite operations are proposed.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.⁴

AFR's request is based in the economies scale which would be realized by grant of its waiver, *e.g.*, avoiding the cost of equipping, staffing and operating a studio in the Greenville area. We agree and conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) under these circumstances. As noted above, AFR proposes to operate KTXG(FM) as a satellite of WAFR(FM), Tupelo, Mississippi, approximately 430 miles from Greenville, Texas. Where there is a considerable distance between the parent and the satellite station, and where the parent and satellite station are in different states, as here, we are particularly concerned that the permittee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, AFR has pledged to meet its local service obligations by: (1) adding to its Community Advisory Board at least one resident of Greenville, who will be asked to provide recommendations on community needs and programming directly to the management of AFR; (2) soliciting listeners' opinions regarding community issues that should be addressed and program planning during each regular "Shareathon" (pledge drives normally held every six months); (3) tracking these listener responses by community and factoring them into its planning of the program schedule and the issues to be addressed; (4) providing periodic local programming for Greenville, including coverage of significant local news or cultural events; (5) providing for the broadcast of local public service announcements; and (6) maintaining its public file within the community of license and a toll-free number from Greenville to Tupelo.

In these circumstances, we are persuaded that AFR will meet its local service obligation and, thus, grant of the requested waiver is consistent with the public interest. We remind AFR, however, of the requirement that it maintain a public file for KTXG(FM) station at the main studio of the "parent" station, WAFR(FM), Tupelo, Mississippi. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind AFR that, notwithstanding the grant of waiver requested here, the public file for WAFR(FM) must contain the quarterly issues and program list for KTXG(FM), as required by C.F.R. Section 73.3527(e)(8).

³ *Id*

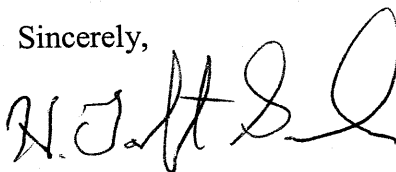
⁴ *Id.*

⁵ See *Reconsideration Order*, 14FCC Rcd at 11129, Paragraph 45.

We have reviewed AFR's application (BMPED-20050214AFI) for minor modification of construction permit for KTXG(FM) and find that the application meets all pertinent technical requirements, that the modified facilities were constructed in accordance with the Commission's authorization, and that the grant of the application would further the public interest, convenience and necessity.

Accordingly, the minor modification of construction permit application (BMPED-20050214AFI) of American Family Radio for KTXG(FM), Greenville, Texas, as well as its request for waiver of 47 C.F.R. Section 73.1125 ARE GRANTED. The authorization is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon", written in a cursive style.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau